



MONTGOMERY COUNTY EXECUTIVE REGULATION

Offices of the County Executive • 101 Monroe Street • Rockville, Maryland 20850

Subject
Tanning Facilities

Number
17-16

Originating Department
Department of Health and Human Services

Effective Date

Montgomery County Department of Health and Human Services

Regulation on:

TANNING FACILITIES

Issued by: County Executive

Regulation No: 17-16

COMCOR No: 51A.00.01

Authority: Montgomery County Code (2014) Section 51A-11

Supersedes: Reg. No. 63-91

Council Review: Method (2) under Code Section 2A-15

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Effective Date:

Comment Deadline: July 31, 2016

SUMMARY: This regulation establishes requirements for operating a tanning facility and specifies sanitation and safety standards.

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BACKGROUND INFORMATION: The current laws and regulations related to tanning facilities were originally established in 1987 and infrequently amended since then. General knowledge regarding the health risks associated with indoor tanning facilities has evolved over time especially in regard to the use of tanning facilities by minors.



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51A.00.01.01 Definitions

Terms defined in Montgomery County Code, Chapter 51A-1 are specifically incorporated herein and are not redefined.

[Department - The County Department of Health.

Director – The Director of the Department of Health.

Health Care Professional – A nurse, medical practitioner or therapist duly licensed by the State of Maryland when attending or treating an individual.

Tanning Facility – Any place where a tanning device is used for a fee, membership dues, or any other compensation.

Tanning Device – Any equipment that emits radiation used for tanning of the skin, such as a sunlamp, tanning booth, or tanning bed; and includes any accompanying equipment, such as protective eyewear, timers, and handrails.]

51A.00.01.02 General Standards

A. All floors, walls, and ceilings shall be kept clean and in good repair.

B. Auxiliary lighting providing at least 20 foot-candles of light must be provided during cleaning times.

C. All tanning rooms must be adequately ventilated to keep them reasonably free from excessive heat.

D. If linens are provided, separate facilities must be provided so that clean materials are not stored in the same location as dirty or used materials.

E. Hooks or lockers must be provided in each tanning room for patrons to store their clothes while using the facility.

F. If beds or booths are not private, a changing room must be provided for patrons to change their clothes.

G. There must be at least one [(1)] attendant for each [ten (10)] 10 beds or fraction of [ten (10)] 10 beds.

51A.00.01.03 Bathrooms

A. At least one bathroom must be provided at each facility for patron use.

B. The following fixtures must be provided:

1. [Lavatory] Toilet.

2. [Water Closet] Hand sink.

3. Soap Dispenser.

4. Towel Dispenser for Individual Disposable Hand Towels.

5. Toilet Tissue Rack.

C. The bathroom and fixtures must be kept clean and in good repair.

D. A supply of toilet tissue, hand towels and hand soap must be provided at all times. Easily cleanable



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receptacles must be provided for waste materials.

51A.00.01.04 Training of Attendants

- A. The owner of the facility must assure that the attendant has been trained in:
1. The operation of all equipment and safety aids.
 2. The need for and the proper wearing of protective eyewear.
 3. The maximum recommended exposure times and distances according to the manufacturer.
 4. Injury recognition.
 5. Emergency procedures.
 6. The effects and mode of action of ultraviolet light including the specific wave length used by the facility's equipment.
 7. Procedures for verifying that patrons are at least 18 years of age.
- B. The facility must have on file with the [Health] Department a copy of the outline of the current training program for attendants.
- C. A log must be maintained on the premises containing the name of each attendant and the specific training that each has completed together with the number of hours of training. The log must be signed and dated by the person who provided the training.

51A.00.01.05 Sanitization and Cleaning

- A. [The tanning beds and goggles] Each tanning device that comes into direct contact with a customer must be sanitized with an approved sanitizer after each use.
- B. Tanning [booths and] rooms must be cleaned at least once a day.
- C. Bathrooms must be kept clean. At a minimum, they must be cleaned at least once a day and fixtures sanitized at least once a day.

51A.00.01.06 Injury Reports

- A. Any injury or complaint of injury resulting from the tanning equipment must be reported by the facility to the Department on a form designated by the Department.
- [B. The reporting form must include the following information:
1. Date of injury.
 2. Nature of injury.
 3. Name of facility.
 4. Address of facility.
 5. Name and address of injured party.
 6. Type of equipment involved.]
- [C] B. The facility must send the report [in duplicate] to the Department with a copy to the injured person within [five (5)] 5 business days of the injury or complaint of injury.



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51A.00.01.07 Record Keeping

The tanning facility must maintain records for each patron using the facility.

A. Such records must be safely preserved on the licensed premises for [two (2)] 2 years to insure accessibility for inspection by the Approving Authority.

B. The record must include the following:

1. Visit date.
2. Exposure time.
3. Attendant's name.
4. Name and address of patron.

51A.00.01.08 Severability

If a court holds that part of this regulation is invalid, the invalidity does not affect other parts.

51A.00.01.09 Effective Date

This regulation takes effect [30 days] immediately after approval by the County Council.

Isiah Leggett, County Executive

Approved as to form and legality

A handwritten signature in black ink, appearing to read "Monty Hill", written over a horizontal line.

5-24-16

Office of the County Attorney / Date